

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**SHIRLEY DOUGLAS**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:10CV677 DPJ-FKB**

**RICHARD B. SCHWARTZ, AND SCHWARTZ &  
ASSOCIATES, P.A.,**

**DEFENDANTS**

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**AFFIDAVIT OF SHIRLEY DOUGLAS**

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**STATE OF MISSISSIPPI  
COUNTY OF CHOCTAW**

Personally appeared before me, the undersigned notary public in and for the state and county listed above, Shirley Douglas, who, after being by me first duly sworn, stated an oath as follows:

1. I am an adult resident citizen of Choctaw County, Mississippi. I am competent to testify and have personal knowledge of the matters set forth in this affidavit.

2. In June 2007 I was injured in an automobile accident caused by the negligence of the driver of another vehicle. Later in June 2007, I hired Richard Schwartz and Schwartz & Associates to serve as my lawyer to make a claim against the driver of the other vehicle.

3. The proceeds of the \$500,000 settlement were sufficient to pay all of my creditors and to allow me to be discharged from bankruptcy with money in my pocket from the settlement.

4. Van Leonard never tendered the remaining \$327,585.32 to the Trustee or to me.



5. Andy Kilpatrick, an attorney for Richard Schwartz, told me in a telephone conversation that Van Leonard stole the settlement proceeds.

6. Schwartz did not return any of the settlement proceeds that it obtained to me or my bankruptcy estate.

7. Of the \$500,000 settlement proceeds, Schwartz received \$172,414.68 and Van Leonard stole the remaining \$327,585.32.

8. No money from my settlement proceeds was paid to me or my bankruptcy estate.

9. I am experiencing severe economic and emotional hardships as a result of the misappropriation of my settlement proceeds. I was supposed to be discharged from my bankruptcy proceeding by this time. Instead, I am still in bankruptcy and the majority of my pay check is being garnished to satisfy my creditors.

This the 30<sup>th</sup> day of November, 2010

  
SHIRLEY DOUGLAS

**SWORN TO AND SUBSCRIBED** before me on this the 30<sup>th</sup> day of November, 2010.

  
NOTARY PUBLIC



March 17, 2012